

**REPORT OF THE AUDIT OF THE  
KNOX COUNTY  
CLERK**

**For The Year Ended  
December 31, 2004**



**CRIT LUALLEN  
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## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE KNOX COUNTY CLERK**

**For The Year Ended  
December 31, 2004**

The Auditor of Public Accounts has completed the Knox County Clerk's audit for the year ended December 31, 2004. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

#### **Financial Condition:**

Excess fees increased by \$59,895 from the prior year, resulting in excess fees of \$176,082 as of December 31, 2004. Revenues increased by \$254,859 from the prior year and expenditures increased by \$ 194,964.

#### **Report Comments:**

- The County Clerk Should Present His Annual Financial Statement To The Fiscal Court For Approval
- The County Clerk Should Post All Expenditures To The Financial Statement And Properly Maintain A Disbursements Ledger

#### **Deposits:**

The Clerk's deposits were insured and collateralized by bank securities or bonds.



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CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Raymond C. Smith, Knox County Judge/Executive  
The Honorable Mike Corey, Knox County Clerk  
Members of the Knox County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Knox County, Kentucky, for the year ended December 31, 2004. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2004, in conformity with the regulatory basis of accounting described in Note 1.

In accordance with Government Auditing Standards, we have also issued our report dated May 18, 2006, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



The Honorable Raymond C. Smith, Knox County Judge/Executive  
Honorable Mike Corey, Knox County Clerk  
Members of the Knox County Fiscal Court

Based on the results of our audit, we have presented the accompanying comments and recommendations, included herein, which discusses the following report comments:

- The County Clerk Should Present His Annual Financial Statement To The Fiscal Court For Approval
- The County Clerk Should Post All Expenditures To The Financial Statement And Properly Maintain A Disbursements Ledger

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Knox County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", written in a cursive style.

Crit Luallen  
Auditor of Public Accounts

Audit fieldwork completed -  
May 18, 2006



KNOX COUNTY  
 MIKE COREY, COUNTY CLERK  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2004

Revenues

State Grants		\$	50,000
State Fees For Services			13,847
Fiscal Court			2,417
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	850,126	
Usage Tax		3,662,993	
Tangible Personal Property Tax		1,523,014	
Lien Release Fees		10,315	
Other-			
Fish and Game Licenses		4,045	
Marriage Licenses		9,868	
Occupational Licenses		398	
Deed Transfer Tax		36,534	
Delinquent Tax		491,856	6,589,149
Fees Collected for Services:			
Recordings-			
Chattel Mortgages and Financing Statements		97,985	
Deeds, Easements, and Contracts		26,960	
Real Estate Mortgages		30,873	
Powers of Attorney		2,253	
All Other Recordings		52,577	
Charges for Other Services-			
Postage		4,214	
Copywork		13,098	
Other			
Refunds/Overpayments		23,308	
Miscellaneous		1,804	253,072
Interest Earned			6,182
Total Revenues		\$	6,914,667

The accompanying notes are an integral part of this financial statement.

KNOX COUNTY  
 MIKE COREY, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2004  
 (Continued)

Expenditures

Payments to State:

Motor Vehicle-

Licenses and Transfers	\$	633,066	
Usage Tax		3,553,227	
Tangible Personal Property Tax		586,200	
Licenses, Taxes, and Fees-			
Fish and Game Licenses		4,095	
Delinquent Tax		74,423	
Legal Process Tax		26,846	
Candidate Filing Fees		120	\$ 4,877,977

Payments to Fiscal Court:

Tangible Personal Property Tax	143,501	
Delinquent Tax	57,635	
Deed Transfer Tax	34,849	
Miscellaneous	225	236,210

Payments to Other Districts:

Tangible Personal Property Tax	731,251	
Delinquent Tax	253,971	985,222

Payments to Sheriff 7,186

Payments to County Attorney 67,596

Operating Expenditures:

Personnel Services-

Deputies' Salaries 247,875

Employee Benefits-

Employer's Share Social Security	23,478	
Employer's Share Retirement	27,256	
Employer's Paid Health Insurance	36,139	
Other Payroll Expenditures	461	87,334

The accompanying notes are an integral part of this financial statement.

KNOX COUNTY  
MIKE COREY, COUNTY CLERK  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
For The Year Ended December 31, 2004  
(Continued)

Operating Expenditures (Continued)

Contracted Services-			
Library and Archives Grant	\$	50,000	
Microfilming and Indexing		17,837	
Contract Professional Services		8,433	
Contract Services Repairs		365	
Employee Training Program		<u>240</u>	\$ 76,875
Materials and Supplies-			
Office Supplies		16,237	
Office Equipment		171	
Other Charges-			
Conventions and Travel		3,853	
Office Equipment		6,930	
Dues		1,000	
Postage		9,824	
Refunds		32,788	
NSF Checks		259	
Refunds		<u>324</u>	<u>71,386</u>
Total Expenditures			<u>\$ 6,657,661</u>
Net Revenues			257,006
Less: Statutory Maximum			<u>74,231</u>
Excess Fees			182,775
Less: Expense Allowance		3,600	
Training Incentive Benefit		<u>3,093</u>	<u>6,693</u>
Excess Fees Due County for 2004			176,082
Payments to Fiscal Court - June 9, 2004		20,000	
March 15, 2005		100,000	
April 15, 2005		<u>50,000</u>	<u>170,000</u>
Balance Due Fiscal Court at Completion of Audit			<u>\$ 6,082</u>

The accompanying notes are an integral part of this financial statement.

KNOX COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2004

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31, that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2004 services
- Reimbursements for 2004 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2004

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

KNOX COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2004  
(Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost-sharing, multiple-employer defined benefit pension plan that covers all eligible full-time employees and provides for retirement, disability, and death benefits to plan members.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 7.34 percent for the first six months and 8.48 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, Kentucky 40601-6124, or by telephone at (502) 564-4646.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2004, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name.

Note 4. Library and Archives Grant

The County Clerk received a local records grant from the Kentucky Department for Libraries and Archives in the amount of \$50,000 during 2003. Funds totaling \$50,000 were expended during 2004. These funds were expended for roller shelving for the County Clerk's office. The unexpended grant balance was \$0 as of December 31, 2004.

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## COMMENTS AND RECOMMENDATIONS





KNOX COUNTY  
MIKE COREY, COUNTY CLERK  
COMMENTS AND RECOMMENDATIONS

For The Year Ended December 31, 2004

STATE LAWS AND REGULATIONS:

The County Clerk Should Present His Annual Financial Statement To The Fiscal Court For Approval

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The fiscal court did not approve the County Clerk's annual financial statement. KRS 64.152 requires the County Clerk to provide the Fiscal Court with a statement of receipts and expenditures of the preceding calendar year and to settle excess fees with Fiscal Court by March 15, each year. The County Clerk correctly submitted excess fee checks to the Fiscal Court, however we could not find Fiscal Court approval of the annual settlement even though the County Judge Executive had signed the annual settlement. We recommend the County Clerk comply with KRS 64.152 by submitting his annual financial statement to the fiscal court for approval.

*County Clerk's Response:*

*The report was given to the Fiscal Court in a timely manner.*

The County Clerk Should Post All Expenditures To The Financial Statement And Properly Maintain A Disbursements Ledger

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The County Clerk did not properly post expenditures to his fourth quarter financial statement. The bank reconciliation completed for the period ended December 31, 2004 includes disbursements totaling \$9,616, which were not included on the fourth quarter financial report. Also, the County Clerk could not provide us with a disbursements ledger. KRS 68.210 requires the county official to comply with the Uniform System of Accounts by accurately recording receipts and expenditures. In the future, we recommend the County Clerk properly post all expenditures to his financial report and maintain a disbursements ledger in accordance with the guidelines in the Uniform System of Accounts.

*County Clerk's Response:*

*The new computer system will fix this problem.*

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL  
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS





CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Raymond C. Smith, Knox County Judge/Executive  
The Honorable Mike Corey, Knox County Clerk  
Members of the Knox County Fiscal Court

Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Knox County Clerk for the year ended December 31, 2004, and have issued our report thereon dated May 18, 2006. The County Clerk's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Knox County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Knox County Clerk's financial statement for the year ended December 31, 2004, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and which are described in the accompanying comments and recommendations.



Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

- The County Clerk Should Present His Annual Financial Statement To The Fiscal Court For Approval
- The County Clerk Should Post All Expenditures To The Financial Statement And Properly Maintain A Disbursements Ledger

This report is intended solely for the information and use of management and the Kentucky Governor's Office for Local Development and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen  
Auditor of Public Accounts

Audit fieldwork completed -  
May 18, 2006

